

REMARKS

STATEMENT OF COMMON OWNERSHIP

The present application, Serial No. 10/694,674, and US Patent Application No. 2006/0053376 to Ng were, at the time the invention of Application Serial No. 10/694,674 was made, subject to an obligation of assignment to International Business Machines Corporation.

RESPONSE TO REJECTIONS

Claims 1-27 are pending. The Examiner's reconsideration of the rejections is respectfully requested in view of the remarks.

A power of attorney document appointing the undersigned is attached hereto.

Claims 1-3, 8-9, 13-16, and 19-27 are rejected under 35 USC 102(e) as being anticipated by Ng (US 2006/0053376). The Examiner stated essentially that Ng teaches all of the limitations of Claims 1-3, 8-9, 13-16, and 19-27.

The Statement of Common Ownership (see above) is believed to overcome the present rejection by disqualifying Ng under 35 USC 103(c).

Further Applicants note the following - the present application was filed October 28, 2003. Ng was filed March 8, 2005 and is a national stage application of a PCT application filed October 1, 2003. Therefore, even with the benefit of the PCT application, Ng is not a 102(b) reference. Further, the PCT application claims the benefit of Canadian patent application no. 2,406,876, filed 10/4/2002 (published April 4, 2004). As the Canadian patent application was not published until after the present application was filed, it is not a 102(b) reference.

Reconsideration of the rejection is respectfully requested.

Claims 4-7, 10-12, and 17-18 have been rejected under 35 USC 103(a) as being unpatentable over Ng as applied to Claim 1, and further in view of Hanson (US 2003/0120811). The Examiner stated essentially that the combined teachings of Ng and Hanson teach or suggest all of the limitations of Claims 4-7, 10-12, and 17-18.

Claims 4-7 depend from Claim 1. Claims 10-12, and 17-18 depend from Claim 8. The dependent claims are believed to be allowable for at least the reasons given for Claims 1 and 8.

Reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the application, including Claims 1-27, is believed to be in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,

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